IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

Michael Green,)
	Plaintiff,)) Civil Action No. 2:18-2513-BHH
v. Agru America Inc.,)) (ORDER)
	Defendant.)))

This matter is before the Court upon Plaintiff's complaint asserting a claim under Title VII of the Civil Rights Act of 1964. On September 14, 2018, Defendant filed a motion to dismiss Plaintiff's complaint, asserting that Plaintiff failed to comply with the filing limitations period set forth in Title VII. Plaintiff filed a response in opposition to Defendant's motion, following which Defendant filed a reply. In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.), the matter was referred to a United States Magistrate Judge for initial review.

On February 6, 2019, Magistrate Judge Bristow Marchant filed a Report and Recommendation ("Report") outlining the issues and recommending that the Court grant Defendant's motion to dismiss. Attached to the Report was a notice advising the parties of his right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court

is charged with making a de novo determination only of those portions of the Report to

which specific objections are made, and the Court may accept, reject, or modify, in whole

or in part, the recommendation of the Magistrate Judge, or recommit the matter to the

Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific

objections, the Court reviews the matter only for clear error. See Diamond v. Colonial Life

& Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a

timely filed objection, a district court need not conduct a de novo review, but instead must

'only satisfy itself that there is no clear error on the face of the record in order to accept the

recommendation.") (quoting Fed. R. Civ. P. 72 advisory committee's note).

Here, because no objections were filed, the Court has reviewed the record, the

applicable law, and the findings and recommendations of the Magistrate Judge for clear

error. After review, the Court finds no clear error and agrees with the Magistrate Judge's

findings and recommendations.

Accordingly, the Court adopts and incorporates the Magistrate Judge's Report (ECF

No. 12) and grants Defendant's motion to dismiss (ECF No. 5).

IT IS SO ORDERED.

/s/Bruce H. Hendricks

Bruce Howe Hendricks

United States District Judge

February 28, 2019

Charleston, South Carolina

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